

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Ordinance No. 6136 authorizing execution of a Fiscal Year (FY) 2013-2015 Biennial Municipal Stormwater Capacity Grant Funding Agreement (and any subsequent grant-related documents) with the Washington State Department of Ecology accepting state grant funds of \$170,000 to support implementation of the city-wide National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Stormwater Permit (\$50,000) and project specific planning and design for a retrofit project which includes low impact development techniques (\$120,000); establishing a project within the Operating Grants, Donations and Special Reserves Fund; appropriating unanticipated and future revenues to that fund; and authorizing the expenditure of said grant funds.

FISCAL IMPACT

Executing the FY 2013-2015 Biennial Municipal Stormwater Capacity Grant Funding Agreement will authorize acceptance of \$170,000 in state funds to assist with NPDES Phase II Municipal Stormwater Permit implementation and project-specific planning and design for a retrofit project which includes low impact development techniques and increases the 2013-2014 Operating Grants, Donations, and Special Reserves Fund appropriation by \$170,000. This grant has no match requirements. Grant funds will be available in December 2013 when the grant agreement is signed. Funds must be obligated and spent by January 31, 2015.

STAFF CONTACT

Nav Ota, Utilities Director, 452-2041

Paul Bucich, Utilities Storm and Surface Water Policy and Technical Advisor, 452-4596

Phyllis Varner, Utilities NPDES Permit Manager, 452-7683

Utilities Department

POLICY CONSIDERATION

Should the City execute a FY 2013-2015 Biennial Municipal Stormwater Capacity Grant Funding Agreement (and any subsequent grant-related documents) with the Washington State Department of Ecology to accept state funds for municipal stormwater programs? The grant funds will assist the City in maintaining compliance with the NPDES Phase II Municipal Stormwater Permit conditions, as required by the federal Clean Water Act, and to plan and design a stormwater water quality retrofit project.

BACKGROUND

In 2007, the Washington State Legislature began approving state assistance funds for local government stormwater grants programs to support implementation of the NPDES Municipal Stormwater Permit requirements. The grants are non-competitive and no local matching funds are required. The Washington State Department of Ecology administers the grant programs.

City Council has previously authorized Utilities to execute local government stormwater grants between Ecology and the City as follows:

- August 2007 - \$75,000 grant. This grant was used to develop city-wide standard operating procedures for minimizing water quality impacts from municipal operations, provide city-wide illicit discharge training, and purchase two permanent covers for sand storage areas.
- December 2009 - \$50,000 grant. This grant was used by the Parks and Community Services Department to construct a vehicle wash pad which discharges wash water to the sanitary sewer at the Crossroads Resource Management property. This wash pad was a condition of the city facility Stormwater Pollution Prevention Plan required by the NPDES permit.
- October 2010 - \$444,873 grant. This grant was used by multiple departments to implement city-wide NPDES requirements. The stormwater activities funded by this grant ranged from developing water quality outreach education materials and supporting illicit discharge detection and stormwater system maintenance programs to supplementing design costs for a water quality retrofit of an existing stormwater regional facility and planning and construction costs for a diversion system to the sanitary sewer at the Fire Department training center (to allow for discharges of fire foam and other contaminants during training events).

With Council's approval, the City would enter into a grant agreement with Ecology in December 2013. The grant funds will be received upon signing the grant agreement. Grant funds are required to be expended by January 31, 2015. We expect to use the grant funds to comply with new requirements in the citywide 2013-2018 NPDES municipal stormwater permit and to plan and design a water quality retrofit project in a highly urbanized drainage basin which incorporates low impact development techniques and ultra-urban structural best management practices (BMPs).

EFFECTIVE DATE

If approved, this Ordinance becomes effective on November 26, 2013.

OPTIONS

1. Adopt Ordinance No. 6136 authorizing execution of a Fiscal Year (FY) 2013-2015 Biennial Municipal Stormwater Capacity Grant Funding Agreement (and any subsequent grant-related documents) with the Washington State Department of Ecology to accept state grant funds of \$170,000 to support implementation of the city-wide National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Stormwater Permit (\$50,000) and project specific planning and design for a retrofit project which includes low impact development techniques (\$120,000); establishing a project within the Operating Grants, Donations and Special Reserves Fund; appropriating unanticipated and future revenues to that fund; and authorizing the expenditure of said grant funds.
2. Do not adopt Ordinance No. 6136 and provide alternative direction to staff. By not adopting the Ordinance to execute the grant agreement, the City will not be eligible to access these Department of Ecology funds.

RECOMMENDATION

Adopt Ordinance No. 6136 authorizing execution of a Fiscal Year (FY) 2013-2015 Biennial Municipal Stormwater Capacity Grant Funding Agreement (and any subsequent grant-related

documents) with the Washington State Department of Ecology to accept state grant funds of \$170,000 to support implementation of the city-wide National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Stormwater Permit (\$50,000) and project specific planning and design for a retrofit project which includes low impact development techniques (\$120,000); establishing a project within the Operating Grants, Donations and Special Reserves Fund; appropriating unanticipated and future revenues to that fund; and authorizing the expenditure of said grant funds.

MOTION

Move to adopt Ordinance No. 6136 authorizing execution of a Fiscal Year (FY) 2013-2015 Biennial Municipal Stormwater Capacity Grant Funding Agreement (and any subsequent grant-related documents) with the Washington State Department of Ecology to accept state grant funds of \$170,000 to support implementation of the city-wide National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Stormwater Permit (\$50,000) and project specific planning and design for a retrofit project which includes low impact development techniques (\$120,000); establishing a project within the Operating Grants, Donations and Special Reserves Fund; appropriating unanticipated and future revenues to that fund; and authorizing the expenditure of said grant funds.

ATTACHMENTS

Proposed Ordinance No. 6136

AVAILABLE IN COUNCIL OFFICE

Fiscal Year (FY) 2013-2015 Biennial Municipal Stormwater Capacity Grant Funding Agreement

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4136

AN ORDINANCE authorizing execution of a Fiscal Year (FY) 2013-2015 Biennial Municipal Stormwater Capacity Grant Funding Agreement (and any subsequent grant-related documents) with the Washington State Department of Ecology accepting state grant funds of \$170,000 to support City-wide implementation of the National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Stormwater Permit (\$50,000) and project specific planning and design for a retrofit project which includes low impact development techniques (\$120,000); establishing a project within the Operating Grants, Donations and Special Reserves Fund; appropriating unanticipated and future revenues to that fund; and authorizing expenditure of said grant funds.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Manager or his designee is authorized to execute a Fiscal Year (FY) 2013-2015 Biennial Municipal Stormwater Capacity Grant Funding Agreement (and any subsequent grant-related documents) with the Washington State Department of Ecology accepting state grant funds of \$170,000 to support City-wide implementation of the National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Stormwater Permit (\$50,000) and project specific planning and design for a retrofit project which includes low impact development techniques (\$120,000), a copy of which grant agreement has been given Clerk's Receiving No. _____.

Section 2. The appropriate administrative officials of the City are hereby authorized to receive monies and to expend the same as authorized in said grant agreement.

Section 3. At the time of execution of said grant agreement and acceptance of said funds, a project shall be established within the Operating Grants, Donations and Special Reserve Fund into which all said monies shall be deposited.

Section 4. The City Manager or his designee shall have responsibility for the administration of said grant monies and shall have all authority necessary to enter into agreements regarding the use thereof.

Section 5. The approximate amount and anticipated source of revenue for the grant proposal and acceptance is:

Washington State Department of Ecology

\$170,000

Section 6. Upon execution of said grant agreement the budget for the Operating Grants, Donations and Special reserve Fund shall be amended by appropriating revenues in the amount of the grant and acceptance herein authorized.

Description

Amount Appropriated

Operating Grants and Donations Fund

\$170,000

Provided, however, if the actual revenue received from the anticipated source specified in said grant agreement should be more or less than the anticipated amount set forth herein, the appropriation shall be adjusted to be equal to the amount actually received.

Section 7. This ordinance shall take effect and be in force five (5) days after passage and legal publication.


Passed by the City Council this _____ day of _____, 2013, and signed in authentication of its passage this _____ day of _____, 2013.

(SEAL)

Conrad Lee, Mayor

Approved as to form:

Lori M. Riordan, City Attorney



Lacey Hatch, Assistant City Attorney

Attest:

Myrna L. Basich, City Clerk

Published _____